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921 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

j1017 U.S. PTO
10/068114
02/05/02

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a


- ☒ continuation application.
- ☐ divisional application.

1. Particulars of Prior Application

Application Serial No: 09/633,431
Filed on: August 7, 2000
Title: TETRACYCLIC DERIVATIVES, PROCESS OF PREPARATION AND USE
Art Unit: 1624
Examiner: T. Truong
Prior Docket No.: 27866/36634

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **February 5, 2002**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EK657815914US.


Richard Zimmermann

2. This request is filed by:

1. Full Name of Inventor	Family Name Daugan	First Given Name Alain	Second Given Name Claude-Marie
Residence & Citizenship	City Les Ulis	State or Foreign Country France	Country of Citizenship France
Post Office Address	Post Office Address Laboratoire Glaxo Wellcome, S.A. Centre de Recherches Z.A. de Courtaboeuf	City Les Ulis	State & Zip Code/Country France/91940
2. Full Name of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country
3. Full Name of Inventor	Family Name	First Given Name	Second Given Name
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
Post Office Address	Post Office Address	City	State & Zip Code/Country

- ☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

3. Amendments

- ☐ Amend the specification by inserting before the first line the sentence:
--This is a ____ of U.S. application Serial No. __, filed ____--
- ☐ Cancel claims ____ in the prior application before calculating the filing fee.
- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. Priority

- ☒ Priority of application No. 940109.7, filed on January 21, 1994 in Great Britain is claimed under 35 USC 119.
- ☒ The certified copy(ies) was(were) filed in prior U.S. application Serial No. 08/669,389.
- ☐ The certified copy(ies) has(have) not been filed.

7. Assignment

- ☒ The prior application is assigned of record to ICOS Corporation, and has been recorded at Reel No. 8610, Frame No. 428.

8. Small Entity Status

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A small entity statement is(are) attached.

9. Application to Be Published

- ☐ Yes.
☐ No. A Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i) is attached.

10. Fee Calculation

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	3 -20	= 0	X 9 =	\$	X 18 =	\$
INDEP.	2 - 3	= 0	X 42 =	\$	X 84 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$	+ 280 =	\$
Filing Fee:				\$	OR	\$740.00

11. Method of Payment of Fees

- ☒ Attached is a check in the amount of: \$740.00
☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

12. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.
Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

13. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
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(312) 474-6300
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By: 

James J. Napoli
Reg. No. 32,361

February 5, 2002